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UNITED OF OMAHA LIFE INSURANCE COMPANY

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9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 JENNIFER BENTLEY, as Trustee of  
12 the 2001 Bentley Family Trust,

13 Plaintiff,

14 vs.

15 UNITED OF OMAHA LIFE  
INSURANCE COMPANY,

16 Defendant.  
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Case No. 15-cv-07870-DMG (AJWx)  
(Honorable Dolly M. Gee)

**DECLARATION OF NANCY IRVINE  
IN SUPPORT OF OPPOSITION TO  
PLAINTIFF'S MOTION FOR CLASS  
CERTIFICATION**

Hearing Date: March 30, 2018  
Hearing Time: 10:00 a.m.  
Courtroom: 8C

[Filed Concurrently With: (1) Opposition  
to Motion; (2) Declaration of Veronica  
Dougherty; (3) Declaration of Larry M.  
Golub; (4) Index of Evidence; and (5)  
[Proposed Order]]

**EXHIBITS TO THIS  
DECLARATION ARE ATTACHED  
TO THE ACCOMPANY INDEX OF  
EVIDENCE**

Discovery Cut-Off: May 22, 2018  
Pre-Trial Conf. Date: August 28, 2018  
Trial Date: September 25, 2018

Complaint Filed: August 27, 2015

**DECLARATION OF NANCY IRVINE**

I, Nancy Irvine, hereby declare as follows:

1. I am employed as an Individual Life Claims Supervisor at Mutual of Omaha Insurance Company (“Mutual of Omaha”). In that role, I perform services on behalf of Defendant United of Omaha Life Insurance Company (“United”), a wholly owned subsidiary of Mutual of Omaha. I have been employed by Mutual of Omaha for over 11 years, and I have occupied the position of Individual Life Claims Supervisor for 4½ years. I have personal knowledge of the facts declared herein and if called upon to testify can and will testify competently thereto.

2. In my role as Individual Life Claims Supervisor, I supervise a team of life claims analysts that process claims for benefits under individual life insurance policies issued by United throughout the United States.

3. I was deposed in this action on December 13, 2017 with respect to a number of topics, including issues related to the United policy issued to Eric Bentley and the communications between the United claims department and Jennifer Bentley and her representatives after Eric Bentley died.

4. In preparing this declaration, I have reviewed my deposition along with the Business Events notes for the Bentley policy (which were marked as Exhibit 16 to my deposition), and certain documents from the Bentley policy file that were produced by United in this action, including those listed below. Business Events notes are maintained by United in a computerized database that record certain events that occur in connection with a life insurance policy, such as communications with policyholders (including documenting telephone calls), policy status or beneficiary inquiries, premium frequency inquiries or changes, stopped payments from bank accounts, cancellations, and other items.

5. Attached hereto are true and correct copies of the following documents contained in United’s policy file for life insurance policy number BU1083350, the

1 policy issued to Eric Bentley. I am informed and believe that all of the attached  
2 documents have been produced to counsel for Jennifer Bentley. All of the  
3 documents attached to this declaration were created and/or maintained by United in  
4 the ordinary course of business.

- 5 a. Exhibit 4: An email that I sent to Jennifer Bentley on November  
6 13, 2014, in which I set forth the chronology of interactions  
7 between the date of Eric Bentley's call to United on April 2014  
8 and the date that United sent its termination notice to Eric  
9 Bentley on October 28, 2014 (United 80-81);
- 10 b. Exhibit 5: Eric Bentley's payment slip for the semiannual  
11 premium payment of \$670.80 that he paid to United, as received  
12 and processed on May 1, 2014, which document also includes  
13 Eric Bentley's completed change of address form from Wilde  
14 Avenue, in Stevenson Ranch, CA to Fairway Lane, in Valencia,  
15 CA (United 086);
- 16 c. Exhibit 6: An email from Karen Dukes, in the United  
17 Underwriting department, thanking Eric Bentley for his payment  
18 of \$670.80 and advising that this payment "advance[s] your  
19 coverage to August 28, 2014" (United 105);
- 20 d. Exhibit 7: The July 28, 2014 premium notice sent to Eric  
21 Bentley at his Fairway Lane address, requesting payment of his  
22 of \$670.80 semiannual premium by August 28, 2014 (United  
23 088);
- 24 e. Exhibit 8: The September 9, 2014 reminder premium notice  
25 sent to Eric Bentley at his Fairway Lane address, advising that  
26 his semiannual premium was due by August 28, 2014 and  
27 further advising that if he wished to keep the coverage in force  
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1 he needed to submit his of \$670.80 premium prior to the end of  
2 the grace period of September 28, 2014 (United 084);

3 f. Exhibit 9: United's October 28, 2014 letter to Eric Bentley  
4 advising him that his August 28, 2014 premium has not been  
5 received and his coverage has been terminated (United 87).

6 6. Apart from Jennifer Bentley's contact with United following the death of  
7 Eric Bentley, based on my review of the Business Event notes for the other policies  
8 listed on the policy lists, no other persons or beneficiaries made a claim for benefits  
9 to United.

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11 I declare under penalty of perjury under the laws of the United States that the  
12 foregoing statements are true and correct.

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14 Executed on February ~~24~~ 2018, at Omaha, Nebraska.

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17 NANCY IRVINE  
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